IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

NOTICE OF MOTION NO.3248 OF 2004
IN
APPEAL (L) NO.368 OF 2004
IN
SUMMONS FOR JUDGMENT NO. 766 OF 2002
IN
SUMMARY SUIT NO. 1382 OF 2002

Alfred Michael Arambhan & Anr. Appellants

vs.

Richard Joseph D'Souza Respondent

Ms. Soma Singh i/b. M/s.C.R.Naidu & Co. for the appellants.

Mr.C. D'Souza i/b. M/s.Dholkiya Gupte & Co. for the respondent.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 29th November 2004

P.C.

Heard Ms.Soma Singh, the learned counsel for the appellants and Mr.C. D'Souza, the learned counsel for the respondent.

2. For the reasons stated in the affidavit in support of notice of motion, we are satisfied that there was no deliberate delay on the part of the appellants in filing the appeal and that the appellants were prevented by sufficient cause in preferring the appeal in time.

3. We, accordingly, condone the delay in filing the appeal.

4. Office is directed to process the appeal and post it for admission as soon as the same is numbered.

5. Notice of motion stands disposed of.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)